

E-FILED

No.

CR 07 00562 RMW PVT

FILED

UNITED STATES DISTRICT COURT

2007 AUG 29 P 2:21

NORTHERN DISTRICT OF CALIFORNIA

EDWARD W. WIEKING
CLERK
U.S. DISTRICT COURT
NO. DIST. OF CA. S.J.

SAN JOSE DIVISION

Em

THE UNITED STATES OF AMERICA

vs.

ALEJANDRO HORTA-GUZMAN

INDICTMENT

COUNT ONE:

Title 8, U.S.C. § 1326 - Illegal Re-Entry Following
Deportation

A true bill.

Monica L. Wills

Foreperson

Filed in open court this 29 day of August

A.D. 2007

[Signature]

United States Magistrate Judge

Bail. \$ No process

SCOTT N. SCHOOLS (SCBN 9990)
United States Attorney

FILED

2007 AUG 29 P 2:27

RICHARD W. WIEKING
CLERK
U.S. DISTRICT COURT
NO. DIST. OF CA. S.J.

FILED

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

ALEJANDRO HORTA-GUZMAN

Defendant.

CR 07 00562 RMW

No.

VIOLATION: 8 U.S.C. § 1326 –
Illegal Re-Entry Following Deportation

SAN JOSE VENUE

PVT

INDICTMENT

The Grand Jury charges:

On or about July 11, 2007, the defendant

ALEJANDRO HORTA-GUZMAN,

an alien, previously having been arrested and deported from the United States on or about June 18, 2003, was found in the Northern District of California, the Attorney General of the United States and the Secretary for Homeland Security not having expressly consented to a re-application by the defendant for admission into the United States, in violation of Title 8, United

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INDICTMENT

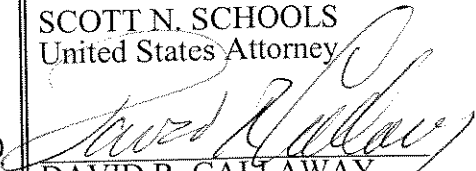
1 States Code, Section 1326.
2
3

4 DATED: 8/22/07

A TRUE BILL.


FOREPERSON

8 SCOTT N. SCHOOLS
United States Attorney


10 DAVID R. CALLAWAY
11 Deputy Chief, San Jose Office

12
13 (Approved as to form: 
14 AUSA JEFFEREY SCHENK
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INDICTMENT

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING

Name of District Court, and/or Judge/Magistrate Location
 NORTHERN DISTRICT OF CALIFORNIA

OFFENSE CHARGED

Title 8, U.S.C. § 1326 - Illegal Re-Entry Following Deportation

☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony

DEFENDANT - U.S.

ALEJANDRO HORTA-GUZMAN

DISTRICT COURT NUMBER

PENALTY:

20 years imprisonment
 \$250,000 fine
 3 years supervised release
 \$100 special assessment fee

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

ICE

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

☐ this is a re prosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. Att'y ☐ Defense

☐ this prosecution relates to a pending case involving this same defendant

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

SHOW
 DOCKET NO.

MAGISTRATE
 CASE NO.

Name and Office of Person
 Furnishing Information on
 THIS FORM

SCOTT N. SCHOOLS

☒ U.S. Att'y ☐ Other U.S. Agency

Name of Asst. U.S. Att'y
 (if assigned)

JEFFREY SCHENK

DEFENDANT

IS NOT IN CUSTODY

- 1) ☐ Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) ☒ On this charge
- 5) ☐ On another conviction
- 6) ☐ Awaiting trial on other charges

☐ Fed'l ☐ State

If answer to (6) is "Yes", show name of institution

Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF
 ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

Month/Day/Year

DATE TRANSFERRED
 TO U.S. CUSTODY

☐ This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

☐ SUMMONS ☒ NO PROCESS*

☐ WARRANT Bail Amount: _____

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address: _____

*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____

Before Judge: _____

Comments: _____